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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/901,078	07/10/2001	Rebecca Lynn Siegel	47004.000089	7083

21967 7590 11/17/2004

HUNTON & WILLIAMS LLP
INTELLECTUAL PROPERTY DEPARTMENT
1900 K STREET, N.W.
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WASHINGTON, DC 20006-1109

EXAMINER


KARMIS, STEFANOS

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 11/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/901,078	SIEGEL ET AL. 	
	Examiner	Art Unit	
	Stefano Karmis	3624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 August 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-76 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-76 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is in response to Applicant's Request for Continued Examination filed on 03 August 2004.

Status of Claims

2. Claim 1 is currently amended. Claims 10, 11, 14 and 20 are previously presented. Claims 2-9, 12, 13, 15-19 and 21-38 are left as originally filed. Claims 39-76 are newly added. Therefore claims 1-76 are under prosecution in this application.

Summary of Office Action

3. Applicant's arguments filed 03 August 2004 has been fully considered and are not persuasive and are discussed in the next section below. Claims 1-76 stand rejected under the art cited below and Applicant's request for allowance is respectfully declined.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-76 are rejected under 35 U.S.C. 102(e) as being anticipated by Lewis, U.S.

Patent 6,513,019.

6. Claims 1-38 stand rejected under 35 U.S.C. 102(e) as being anticipated by Lewis, U.S.

Patent 6,513,019 as discussed in the paragraph 6 of the previous office action mailed 03 May 2004. Continuing with newly added claim 39, Lewis discloses receiving a baseline status of an account (col. 5, lines 19-30; figs. 2, 7, 9 and associated text); retrieving an updated status of the account after a predetermined period (col. 5, lines 19-30, figs. 2, 7, 9 and associated text) and comparing the baseline status to the updated status (col. 5, lines 19-30; Figs. 2, 7, 9 and associated text). Continuing, Lewis discloses generating an account metric based on the step of comparing the account metric including a weighting according to at least a change in level of the delinquency of the account, wherein the generation operation is performed using the processor (column 13, line 36 thru column 14, line 11). By generating views with respect to changes in credit rating and gains and losses, Lewis in turns is generating an account metric based on delinquency. Applicant is reminded that claims must be interpreted as broadly as their terms reasonably allow *In re Zletz*, USPQ2d 1320, 1322 (Fed. Cir. 1989).

Claims 40-76 contain similar limitations to claim 39 detailed above or to claims 2-38 and therefore are rejected under the same grounds as claim 39 above or claims 2-38 as stated in the previous office actions.

Response to Arguments

7. The Examiner acknowledges Applicant's amendment with respect to claim 1 to overcome the previously stated 35 U.S.C. 101 rejection. The Examiner believes the amendment to claim 1 is sufficient and therefore the 35 U.S.C. 101 rejection no longer applies.

Conclusion

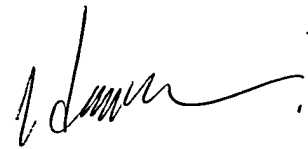
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stefano Karmis whose telephone number is (703) 305-8130. The examiner can normally be reached on M-F: 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (703) 308-1065. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Respectfully Submitted
Stefano Karmis
08 November 2004



HANI M. KAZIMI
PRIMARY EXAMINER